

In the  
**Indiana Supreme Court**



IN THE MATTER OF THE  
APPROVAL OF LOCAL RULES  
FOR KNOX COUNTY

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Case No. 42S00-1107 -MS- 409

ORDER APPROVING AMENDED LOCAL RULES

The judges of the Knox Circuit and Superior Courts request the approval of amended local rules for appointment of special judges in accordance with Ind. Trial Rule 79 and governing court reporter services in accordance with Ind. Administrative Rule 15. Attached to this Order are the proposed amended local rules.

Upon examination of the proposed rule amendments requested by the Knox Circuit and Superior Courts, this Court finds that the proposed rule amendment, LR42-TR79-1.0 and LR42-AR15-3.0, comply with the requirements of Ind. Trial Rule 79 and Ind. Administrative Rule 15, and accordingly, should be approved.

IT IS, THEREFORE, ORDERED by this Court that Knox County Local Rules, , LR42-TR79-1.0 and LR42-AR15-3.0, set forth as an attachment to this Order, are approved effective July 1, 2011, provided further that the rules shall be posted in the county clerk's office(s) and on the county clerk's website, if any, and on the Indiana Judicial Website.

The Clerk of this Court is directed to forward a copy of this Order to the Hon. W. Timothy Crowley, Knox Superior Court 1, 111 North Seventh Street, Suite 20, Vincennes, IN 47591; the Hon. Sherry B. Gregg Gilmore, Knox Circuit Court, 111 North Seventh Street, Suite 14, Vincennes, IN 47591-2022; the Hon. Jim R. Osborne, Knox Superior Court 2, 620 Busseron Street, Vincennes, IN 47591-2032; to the Clerk of the Knox Circuit and Superior Courts; and to the Division of State Court Administration. The Clerk is also directed to post this Order on the Court's website.

The Clerk of the Knox Circuit and Superior Courts is directed to enter this Order and attachment in the Record of Judgments and Orders for the Courts, to post this Order and

attachment for examination by the Bar and the general public, and if available, to publish this Order and attachment on the county clerk's website.

DONE at Indianapolis, Indiana, this 1<sup>st</sup> day of July, 2011.

RT Shepard

Randall T. Shepard  
Chief Justice of Indiana

**LR42-TR79-1.0**

**SPECIAL JUDGES (Civil Matters)**

**A. KNOX CIRCUIT COURT:** This provision is adopted by the Court due to the large number of recusals that will be necessitated by the filing of an appearance by John R. Gregg, attorney at law, the former spouse of the regular Judge of this Court.

1. In all cases under ES and EU cause numbers, the Honorable Dean Sobecki of the Daviess Superior Court shall automatically qualify and serve as Special Judge therein.
2. In the event the Special Judge serving under paragraph 1 above disqualifies for any reason, the successor Judge shall be chosen pursuant to the provisions of Trial Rule 79 (D), (E) or as set forth below.

**B. APPOINTMENT OF SPECIAL JUDGE BY CLERK:** In the event a Special Judge selected under Trial Rule 79, Sections (D), (E) or (F) does not accept the case, or a Judge disqualifies and recuses under Trial Rule 79(C), then the Clerk of the Court shall appoint on a rotating basis a Special Judge from the following list of presiding Judges:

<b>Knox Circuit Court:</b>	Judge of the Knox Superior Court 1 Judge of the Knox Superior Court II Judge of the Daviess Circuit Court Judge of the Daviess Superior Court Judge of the Pike Circuit Court Judge of the Martin Circuit Court Judge of the Gibson Circuit Court Judge of the Gibson Superior Court Judge of the Dubois Circuit Court Judge of the Dubois Superior Court
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<b>Knox Superior Court 1:</b>	Judge of the Knox Circuit Court Judge of the Knox Superior Court II Judge of the Daviess Circuit Court Judge of the Daviess Superior Court Judge of the Pike Circuit Court Judge of the Martin Circuit Court Judge of the Gibson Circuit Court Judge of the Gibson Superior Court Judge of the Dubois Circuit Court Judge of the Dubois Superior Court
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**Knox Superior Court II:**

Judge of the Knox Circuit Court  
Judge of the Knox Superior Court 1  
Judge of the Daviess Circuit Court  
Judge of the Daviess Superior Court  
Judge of the Pike Circuit Court  
Judge of the Martin Circuit Court  
Judge of the Gibson Circuit Court  
Judge of the Gibson Superior Court  
Judge of the Dubois Circuit Court  
Judge of the Dubois Superior Court

The Clerk shall select a Judge to be assigned by drawing a name from the above-listed Judges, according to the appropriate list, and from time to time thereafter from the remaining Judges until all listed Judges have been assigned an equal number of cases.

If the Judge selected to serve is disqualified or is excused from service, then Clerk of the Court shall appoint the next Judge on the list. If no Judge on the list is eligible to serve as Special Judge or the particular circumstances in the case so warrant, the then presiding Judge in the case shall certify the matter to the Indiana Supreme Court for the appointment of a Special Judge pursuant to Trial Rule 79(H)(3).

*(Amended 07-01-2011)*

**LR42-AR15-3.0**  
**COURT REPORTER SERVICES**

This rule is adopted pursuant to the inherent powers of these Courts and in order to comply with the provisions of Administrative Rule 15 enacted by the Indiana Supreme Court on November 25, 1997. This Rule governs Court reporter services.

**SECTION ONE - DEFINITIONS:** The following definitions shall apply under this local rule:

1. *A Court Reporter* is a person who is specifically designated by a Court to perform the office Court reporting services for the Court including preparing a transcript of the record.
2. *Equipment* means all physical items owned by the Court or other governmental entity and used by a Court reporter in performing Court reporting services. Equipment shall include, but not be limited to, telephones, computer hardware, software programs, disks, tapes, and any other device used for recording and storing, and transcribing electronic data.
3. *Work space* means that portion of the Court's facilities dedicated to each Court reporter, including but not limited to, actual space in the Courtroom and any designated office space.
4. *Page* means the page unit of transcript which results when a recording is transcribed in the form required by Indiana Rule of Appellate Procedure 7.2.
5. *Recording* means the electronic, mechanical, stenographic or other recording made as required by Indiana Rule of Trial Procedure 74.
6. *Regular hours worked* means those hours which the Court is regularly scheduled to work during any given work week. Depending on the particular Court, these hours may vary from Court to Court within the County but remain the same for each work week.
7. *Gap hours worked* means those hours worked that are in excess of the regular hours worked but hours not in excess of forty (40) hours per work week.

8. *Overtime hours worked* means those hours worked in excess of forty (40) hours per work week.
9. *Work week* means a seven (7) consecutive day week that consistently begins and ends on the same days throughout the year, i.e. Sunday through Saturday, Wednesday through Tuesday, Friday through Thursday.
10. *Court* means the particular Court for which the Court reporter performs services. Court may also mean all of the Courts in Knox County.
11. *County indigent transcript* means a transcript that is paid for from County funds and is for the use on behalf of a litigant who has been declared indigent by a Court.
12. *State indigent transcript* means a transcript that is paid for from State funds and is for the use on behalf of a litigant who has been declared indigent by a Court.
13. *Private transcript* means a transcript including, but not limited to, a deposition transcript, that is paid for by a private party.
14. *A complete transcript* means a transcript that includes typewritten copy of testimony and proceedings, volume header pages, hearing header pages, exhibit identification and attachment pages, witness and exhibit table of contents (including courtesy copies), affirmation page, reporter's certificate, diskette(s), and any other page necessary for completion of the transcript.

## **SECTION TWO – SALARIES AND PAGE FEES:**

1. Court Reporters shall be paid an annual salary for time spent working under the control, direction and direct supervision of their supervising Court during any regular work hours, gap hours or overtime hours. The supervising Court shall enter into a written agreement with the Court Reporters which outlines the manner in which the Court reporter is to be compensated for gap and overtime hours, i.e. monetary compensation or compensatory time off regular work hours.
2. The maximum per page fee a Court reporter may charge for the preparation of a complete County indigent transcript shall be \$ 4.50 per page (\$ 4.25 per page should the Court reporter make use of the Court's equipment, work space and supplies). A fee of \$ 6.00 per page shall be charged for expedited transcripts to be completed within seven (7) working days of the request. A minimum fee of \$ 45.00 shall be charged for County indigent transcripts. The Court reporter shall submit a claim directly to the County for the preparation of any County indigent transcripts.
3. The maximum per page fee a Court reporter may charge for the preparation of a State indigent transcript shall be \$ 4.50 per page (\$ 4.25 per page should the Court reporter make use of the Court's equipment, work space and supplies). A fee of \$ 6.00 per page shall be charged for expedited transcripts to be completed within seven (7) working days of the request. A minimum fee of \$ 45.00 shall be charged for State indigent transcripts.
4. The maximum per page fee a Court reporter may charge for the preparation of a complete private transcript shall be \$4.50 per page (\$ 4.25 per page should the Court reporter make use of the Court's equipment, work space and supplies). A fee of \$ 6.00 per page shall be charged for expedited transcripts to be completed within seven (7) working days of the request. A minimum fee of \$ 45.00 shall be charged for private transcripts.

5. The Court reporter may charge for office supplies required and utilized for binding and transmission of the transcript pursuant to Indiana Rules of Appellate Procedure 28 and 29. Said costs shall be pursuant to a Schedule of Transcript Supplies, established and published annually by the Courts of Knox County.
6. The Court reporter shall charge her current hourly rate for the time involved in the actual binding procedure of all transcripts, including but not limited to County indigent, State indigent and private.
7. Each Court reporter shall report, at least on an annual basis, all transcript fees received for the preparation of either County indigent, State indigent or private transcripts to the Indiana Supreme Court Division of State Court Administration. The reporting shall be made on forms prescribed by the Division of State Court Administration.

### **SECTION THREE – PRIVATE PRACTICE:**

1. If a Court reporter elects to engage in private practice through the recording of a deposition and/or preparing of a deposition transcript, and the Court reporter desires to utilize the Court's equipment, work space and supplies, and the Court agrees to the use of the Court equipment for such purpose, the Court and the Court reporter shall enter into a written agreement which must, at a minimum, designate the following:
  - (a) The reasonable market rate for the use of equipment, work space and supplies;
  - (b) The method by which records are to be kept for the use of equipment, work space and supplies; and
  - (c) The method by which the Court reporter is to reimburse the Court for the use of the equipment, work space and supplies.
2. If a Court reporter elects to engage in private practice through the recording of a deposition and/or preparing a deposition transcript, all such private practice work shall be conducted outside of regular working hours.

*(Amended 07-01-2011)*



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